

EXHIBIT 43

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CISCO SYSTEMS, INC. Case No.: 5:14-cv-05344-BLF (PSG)

Plaintiff,

v.

ARISTA NETWORKS, INC.

Defendants.

* HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY *

VIDEOTAPED DEPOSITION OF PHILLIP REMAKER

30(b)(6) FOR CISCO SYSTEMS, INC.

Palo Alto, California

Thursday, March 31, 2016

Volume 1

Reported by:

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1 of a command response, are there any guidelines that
2 exist at Cisco, whether written or not, that apply
3 to the creation of a command response?

4 MR. NEUKOM: Objection. Vague.

5 THE WITNESS: I'm not aware of any
6 specific ones.

7 BY MR. WONG:

8 Q. You can set that aside.

9 Now, Mr. Remaker, can you put Exhibit 431
10 in front of you, please. Do you understand that
11 Cisco has identified individuals who Cisco believes
12 is the author or originator of the commands at issue
13 in this litigation?

14 MR. NEUKOM: Objection. Misstates the
15 document.

16 BY MR. WONG:

17 Q. Let me rephrase the question.

18 Mr. Remaker, what is your understanding of
19 the document marked as Exhibit 431?

20 MR. NEUKOM: Objection. The document
21 speaks for itself.

22 THE WITNESS: I understand the document is
23 Cisco's seventh supplemental response to
24 interrogatory No. 16 and response to interrogatory
25 No. 19.

1 BY MR. WONG:

2 Q. Okay. What is your understanding of the
3 second column of the table that is shown in
4 Exhibit 431?

5 MR. NEUKOM: Objection. The document
6 speaks for itself.

7 THE WITNESS: The second column designates
8 Cisco as the author of the commands and identifies
9 the originator of that command.

10 BY MR. WONG:

11 Q. Do you understand that Exhibit 431 lists
12 the CLI commands that Cisco accuses Arista of
13 infringing in this lawsuit?

14 A. That is my understanding.

15 Q. Do you understand that you have been
16 identified in this document as being associated with
17 one of these commands?

18 A. Yes.

19 Q. Okay. Do you know which command that you
20 are associated with, Mr. Remaker?

21 A. That would be the "show inventory"
22 command.

23 Q. What is the functionality -- what function
24 is performed by the "show inventory" command?

25 MR. NEUKOM: Objection. Off topic.

1 THE WITNESS: The "show inventory" command
2 provides a list of all of the hardware items in a
3 specific Cisco device, including their part number,
4 version number, serial number and name, to the
5 extent that that information is available.

6 BY MR. WONG:

7 Q. Were you involved in the selection and
8 creation of the "show inventory" command?

9 A. I was involved in the specification of the
10 "show inventory" command.

11 Q. So what role -- strike that.

12 Was anybody else involved in the creation
13 of the "show inventory" command?

14 A. Yes.

15 Q. Who else was involved?

16 A. I don't recall all of the people involved.

17 Q. Do you recall approximately how many
18 people were involved in the creation of the "show
19 inventory" command?

20 A. Probably 6 to 10 people.

21 Q. What role did you, in particular, play in
22 the creation of the "show inventory" command.

23 A. I assembled the feedback, was involved in
24 discussions around how to design the command, and
25 ultimately wrote the specification.

1 Q. Did you play any role in the selection of
2 the words used in the "show inventory" command
3 syntax?

4 A. Yes.

5 Q. What role did you play in the selection of
6 the words used in the "show inventory" command
7 syntax?

8 A. I proposed words to the team, took
9 feedback, and settled on both the choice of words
10 and the organization of the hierarchy of the
11 command.

12 Q. Anything else?

13 A. Also, in the specification of the way the
14 output would be presented.

15 Q. Anything else?

16 A. Not that I can recall.

17 Q. Did you write any source code for the
18 "show inventory" command?

19 A. I did not write any source code.

20 Q. Did you write any documentation for the
21 "show inventory" command?

22 A. I might have written documentation for the
23 "show inventory" command.

24 Q. And by documentation, I mean user
25 documentation.

1 A. I presume I was involved in writing the
2 documentation for the command.

3 (Exhibit 442 marked for identification.)

4 BY MR. WONG:

5 Q. The court reporter has marked as
6 Exhibit 441 the document --

7 THE REPORTER: 442.

8 MR. WONG: 442?

9 BY MR. WONG:

10 Q. -- a document bearing control number
11 CSI-CLI 610102 to 610105.

12 Mr. Remaker, do you recognize the document
13 marked as Exhibit 442?

14 A. Yes.

15 Q. What is the document marked as
16 Exhibit 442?

17 A. The document marked Exhibit 442 appears to
18 be an early proposed draft of the "show inventory"
19 command.

20 Q. When you refer to being responsible for
21 drafting the specification for the "show inventory"
22 command, were you referring to the document marked
23 as Exhibit 442?

24 A. This was a draft of the specification.

25 Q. Who is -- at the top of Exhibit 442,